

FORM TO USED BY PRISONERS IN FILING A
COMPLAINT UNDER THE CIVIL RIGHTS ACT ,42 U.S.C. 1983

IN THE UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

MARK J DeRosa

(ENTER ABOVE THE FULL NAME OF THE
PLAINTIFF OR PLAINTIFF IN THIS ACTION)

1 : CV - 01 - 1198

"warden" VS.

- ① GENE Fisch / ② LT. VITO Cordoni /
③ Sgt. D. STEPHINOSKI / ④ Sgt. K. HANDY /
⑤ C.I.S. UN-Named.

(ENTER ABOVE THE FULL NAME OF THE
DEFENDANT OR DEFENDENTS IN THIS ACTION)

1. PREVIOUS LAWSUITS

A. HAVE YOU BEGUN OTHER LAWSUITS IN STATE OR FEDERAL COURT
DEALING WITH THE SAME FACTS INVOLVED IN THIS ACTION OR
OTHERWISE RELATING TO YOUR IMPRISONMENT

YES _____ NO X

B. IF YOUR ANSWER IS YES , DESCRIBE EACH LAWSUIT IN
THE SPACE BELOW (IF THERE IS MORE THAN ONE LAWSUIT, DESCRIBE THE ADDITIONAL
ON ANOTHER PICE OF PAPER, USING THE ABOVE OUTLINE

FILED
HARRISBURG

JUN 28 2001

MARY E. D'ANDREA, CLERK
Per _____
DEPUTY CLERK

(2)

1. PARTIES TO THIS PREVIOUS LAWSUIT
PLAINTIFF _____

DEFENDANT _____

2. COURT (IF FEDERAL, COURT NAME THE DISTRICT, IF STATE COURT, NAME THE COUNTY)

3. DOCKET NO. NUMBER _____

4. NAME OF JUDGE TO WHOM CASE WAS ASSIGNED _____

5. DISPOSITION (FOR EXAMPLE WAS THE CASE DISMISSED? WAS IT APPEALED?
IS IT PENDING) _____

6. APPROXIMATE DATE OF FILING LAWSUIT _____

7. APPROXIMATE DATE OF DISPOSITION _____

8. PLACE OF PRESENT CONFINEMENT

L-C-C-F. Luzerne County Prison

A. IS THERE A PRISONER GRIEVANCE PROCEDURE IN THIS
INSTITUTION YES X NO _____

B. DID YOU PRESENT THE FACTS RELATING TO YOUR COMPLAINT IN THE STATE
GRIEVANCE PROCEDURE? YES X OR NO _____

C. IF YOUR ANSWER IS YES

1. WHAT STEPS DID YOU TAKE Filed Criminal Complaint
Forms.

2. WHAT WAS THE RESULTS? NONE

(3)

D. IF YOUR ANSWER IS NO, EXPLAIN WHY NOT _____

III. PARTIES. (IN ITEMS A. BELOW, PLACE YOUR NAME IN THE FIRST BLANK & PLACE YOUR PRESENT ADDRESS IN THE SECOND BLANK DO THE SAME FOR ADDITIONAL PLAINTIFFS IF ANY)

a. NAME OF PLAINTIFF MARK J DeRosa

ADDRESS 99 Water St. Wilkes Barre PA 18702.

(IN ITEM B BELOW, PLACE THE FULL NAME OF THE DEFENDANT IN THE FIRST BLANK HIS OFFICIAL POSITION THE SECOND BLANK HIS PLACE OF EMPLOYMENT IN THE THIRD BLANK USED ITEM C FOR THE NAMES OF ADDITIONAL DEFENDANTS)

b. DEFENDANT GENE FISCHI IS
EMPLOYED AS "Warden" AT

c. ADDITIONAL DEFENDANTS Lt. Vito Cardone / LT, L.C.C.F.
Sgt. D. STEPHENOSKI - Sgt. L.C.C.F.
Sgt. K. HANDLY - Sgt. L.C.C.F.
C.I.S. UN-Identified - L.C.C.F.

IV STATEMENT OF CLAIM

STATE HERE AS BRIEFLY AS POSSIBLE THE FACTS OF YOUR CASE DESCRIBE HOW EACH DEFENDANT IS INVOLVED INCLUDE ALSO THE NAMES OF OTHER PERSONS INVOLVED DATES PLACES DO NOT GIVE ANY INTENT TO ALLEGE A NUMBER OF RELATED CLAIMS, NUMBER SET FORTH EACH CLAIM IN A SEPARATE PARAGRAPH USE AS MUCH SPACE AS YOU NEED ATTACH EXTRA SHEET IF NECESSARY

ON Friday MAY-5th at 10:00AM I was called to a Counselor's "Mark Makovege". I was depressed and needed to speak to like person "Jim Swartz". Because my brother just died at the jail wouldn't let me go to the funeral in my custody. So at 11:00AM MARK Makovege the Counselor from the like department and died and said I was going to kill my self. So I was placed on 2-B middle block cell-3 over the week end. "Monday May-8th" at 2:30 PM Jim Swartz called me to his office and he said real master was on order so he put me back on 2-B middle block and took all my clothes, blanket, mattress, and left me in the middle for 10 days without any of the above stuff in a cold cell without a shower or maid for 10 days.

OVER-1

(1)

Plus I sent 2 Criminal Complaint forms to home
DA no response.

What I'm asking is to be
removed from this jail I fear for my life I'm in here on my first tech
I need ~~and~~ this jail to learn I'm NOT a beaten
Bagman.

V. RELIEF

STATE BRIEFLY EXACTLY WHAT YOU WANT THE COURT TO DO FOR YOU
I request to have said MANAGMENT PERSONAL RepreManded,
MAKE NO LEGAL ARGUMENTS CITE NO CASES OR STATES

Note

This Jail needs to be investigated...

(5)

SIGNED THIS Mark J. Dolosa DAY OF 6/4/ 2000

Mark J. Dolosa

SIGNATURE OF PLAINTIFF OR
PLAINTIFFS

EXECUTED AT LUZERNE COUNTY PRISON W-B Luzerne
(NAME OF INSTITUTION, CITY, COUNTY)

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING
IS TRUE & CORRECT

EXECUTED ON 6/4/2000
(DATE)

Mark J. Dolosa

SIGNATURE OF PLAINTIFF OR
PLAINTIFFS